

HOUSE BILL No. 2374

By Committee on Appropriations

2-19

1 AN ACT concerning the attorney general; relating to persons providing
2 certain information; increasing reward payments to such persons;
3 amending K.S.A. 2018 Supp. 75-727 and repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2018 Supp. 75-727 is hereby amended to read as
7 follows: 75-727. (a) The attorney general is hereby authorized to pay a
8 reward ~~not to exceed \$5,000~~ to any person who first furnishes information
9 *as an original source of the information* to the attorney general concerning
10 a violation by any person of the medicaid fraud control act, the false
11 claims act, or any other provision of law that protects the integrity of the
12 public treasury.

13 (b) (1) *Any person who is the original source of the information used*
14 *by the attorney general to bring an action under the medicaid fraud*
15 *control act, the false claims act, or any other provision of law that protects*
16 *the integrity of the public treasury shall receive 10% of any recovery by*
17 *the attorney general subject to the provisions of this section.*

18 (2) *If the court finds that such person planned or initiated the*
19 *conduct giving rise to the action, such person shall not be entitled to any*
20 *part of the recovery obtained in such action.*

21 (c) No employee of a governmental entity shall be eligible for a
22 reward under this section, unless the information furnished to the attorney
23 general does not relate in any manner to such employee's responsibilities
24 as an employee of a governmental entity, as determined solely by the
25 attorney general. ~~As used in this section, "employee" and "governmental~~
26 ~~entity" mean the same as in K.S.A. 75-6102, and amendments thereto.~~

27 ~~(e)(d)~~ Any reward pursuant to this section shall be paid only upon
28 certification by the attorney general that information provided by such
29 informant: (1) Was not previously known to the attorney general; and (2)
30 materially contributed to an investigation conducted by the attorney
31 general. No such reward shall be paid except after entry of judgment in
32 favor of the state, or conviction for violation of the law, in the matter upon
33 which the informant provided information.

34 ~~(d)(e)~~ Any reward payment authorized by this section shall be made
35 on the order of the attorney general from the ~~medicaid fraud prosecution~~
36 ~~revolving fund established by K.S.A. 2018 Supp. 21-5933, and~~

1 ~~amendments thereto funds and fines recovered.~~ The attorney general shall
2 have sole discretion in determining ~~whether a reward shall be paid, the~~
3 ~~amount of any such payment not to exceed \$5,000 and~~ whether an
4 informant is eligible to receive such reward.

5 ~~(e)~~(f) The attorney general shall inform the public of rewards
6 authorized by this section for the purpose of encouraging persons to
7 furnish information described in subsection (a) to the attorney general.

8 ~~(f)~~(g) The attorney general may promulgate rules and regulations
9 necessary to carry out the provisions of this section.

10 (h) *As used in this section:*

11 (1) *"Employee" means the same as in K.S.A. 75-6102, and*
12 *amendments thereto;*

13 (2) *"governmental entity" means the same as in K.S.A. 75-6102, and*
14 *amendments thereto; and*

15 (3) *"original source of information" means an individual providing*
16 *information not previously disclosed to or known by the government or*
17 *public.*

18 Sec. 2. K.S.A. 2018 Supp. 75-727 is hereby repealed.

19 Sec. 3. This act shall take effect and be in force from and after its
20 publication in the statute book.